

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

WILMINGTON TRUST COMPANY, as
Indenture Trustee,

Plaintiff,

v.

TYCO INTERNATIONAL GROUP, S.A.,
TYCO INTERNATIONAL, LTD., and
TYCO INTERNATIONAL FINANCE
S.A.,

Defendants.

Docket No. 07 CV 4659 (SAS)

**NOTICE OF MOTION FOR
CERTIFICATION FOR
INTERLOCUTORY APPEAL
PURSUANT TO 28 U.S.C. § 1292**

ECF Case

Oral Argument Requested

PLEASE TAKE NOTICE THAT, upon the pleadings and papers in this matter and the accompanying memorandum of law, Plaintiff Wilmington Trust Company will move this Court before the Honorable Shira A. Scheindlin, at a date and time to be determined by the Court, for an order pursuant to Section 1292 of the United States Code granting Plaintiff's motion and certifying for interlocutory appeal the Court's decision of March 3, 2008 denying Plaintiff's motion for summary judgment.

Oral argument is requested.

The grounds for this motion are set forth in the accompanying memorandum of law.

Dated: April 10, 2008
New York, New York

Respectfully submitted,

DECHERT LLP

By: /s/ Kevin O'Brien
Kevin O'Brien
Glenn Siegel
Alissa Rossman

kevin.obrien@dechert.com

30 Rockefeller Plaza
New York City, New York 10112
(212) 698-3500

Co-Counsel for the Trustee

PAUL, WEISS, RIFKIND,
WHARTON & GARRISON LLP

By: /s/ Gerard E. Harper
Gerard E. Harper
Andrew G. Gordon
Andrew N. Rosenberg

gharper@paulweiss.com

1285 Avenue of the Americas
New York City, New York 10019
(212) 373-3000

Co-Counsel for the Trustee